

## PATENT COOPERATION TREATY

## PCT

## INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

REC'D 21 JUL 2004

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PCT

Applicant's or agent's file reference NGM:BTP:JML:FP19594	<b>FOR FURTHER ACTION</b> See Form PCT/IPEA/416	
International application No. PCT/AU2004/000445	International filing date (day/month/year) 6 April 2004	Priority date (day/month/year) 10 April 2003
International Patent Classification (IPC) or national classification and IPC Int. Cl. <sup>7</sup> F41B 15/02; F21L 4/00; A63B 15/02; B25G 3/20		
Applicant GLOBAL INNOVATIONS N.W.O. PTY LTD et al		

1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 4 sheets, including this cover sheet.
3. This report is also accompanied by ANNEXES, comprising:
  - a. ☒ (sent to the applicant and to the International Bureau) a total of 5 sheets, as follows:
    - ☒ sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).
    - ☐ sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.
  - b. ☐ (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) , containing a sequence listing and/or table related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).

4. This report contains indications relating to the following items:
 

<input checked="" type="checkbox"/> Box No. I	Basis of the report
<input type="checkbox"/> Box No. II	Priority
<input type="checkbox"/> Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
<input checked="" type="checkbox"/> Box No. IV	Lack of unity of invention
<input checked="" type="checkbox"/> Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
<input type="checkbox"/> Box No. VI	Certain documents cited
<input type="checkbox"/> Box No. VII	Certain defects in the international application
<input type="checkbox"/> Box No. VIII	Certain observations on the international application

Date of submission of the demand 18 June 2004	Date of completion of the report 12 July 2004
Name and mailing address of the IPEA/AU AUSTRALIAN PATENT OFFICE PO BOX 200, WODEN ACT 2606, AUSTRALIA E-mail address: pct@ipaustalia.gov.au Facsimile No. (02) 6285 3929	Authorized Officer  D.R. LUM Telephone No. (02) 6283 2544

# INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/AU2004/000445

## Box No. I. Basis of the report

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.

☐ This report is based on translations from the original language into the following language which is the language of a translation furnished for the purposes of:

☐ international search (under Rules 12.3 and 23.1 (b))

☐ publication of the international application (under Rule 12.4)

☐ international preliminary examination (under Rules 55.2 and/or 55.3)

2. With regard to the elements of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:

☐ the international application as originally filed/furnished

☒ the description:

pages 1-11 as originally filed/furnished

pages\* received by this Authority on with the letter of

pages\* received by this Authority on with the letter of

☒ the claims:

pages as originally filed/furnished

pages\* as amended (together with any statement) under Article 19

pages\* 12-16 received by this Authority on 18 June 2004 with the letter of 18 June 2004

pages\* received by this Authority on with the letter of

☒ the drawings:

pages 1/5 - 5/5 as originally filed/furnished

pages\* received by this Authority on with the letter of

pages\* received by this Authority on with the letter of

☐ a sequence listing and/or any related table(s) - see Supplemental Box Relating to Sequence Listing.

3. ☐ The amendments have resulted in the cancellation of:

☐ the description, pages

☐ the claims, Nos.

☐ the drawings, sheets/figs

☐ the sequence listing (*specify*):

☐ any table(s) related to the sequence listing (*specify*):

4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

☐ the description, pages

☐ the claims, Nos.

☐ the drawings, sheets/figs

☐ the sequence listing (*specify*):

☐ any table(s) related to the sequence listing (*specify*):

*If item 4 applies, some or all of those sheets may be marked "superseded."*

# INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/AU2004/000445

Box No. IV

Lack of unity of invention

1. ☐ In response to the invitation to restrict or pay additional fees the applicant has:

- ☐ restricted the claims.
- ☐ paid additional fees.
- ☐ paid additional fees under protest.
- ☐ neither restricted nor paid additional fees.

2. ☒ This Authority found that the requirement of unity of invention is not complied with and chose, according to Rule 68.1, not to invite the applicant to restrict or pay additional fees.

3. This Authority considers that the requirement of unity of invention in accordance with Rules 13.1, 13.2 and 13.3 is:

- ☐ complied with.
- ☒ not complied with for the following reasons:

The international application does not comply with the requirements of unity of invention because it does not relate to one invention or to a group of inventions so linked as to form a single general inventive concept. In coming to this conclusion the International Preliminary Examining Authority has found that there are different inventions as follows:

1. Claims 1-27. It is considered that the handle including an actuator operable from a free end of the handle body comprises a first "special technical feature".
2. Claims 28. It is considered that access hole in the collar comprises a second special technical feature.

These groups are not so linked as to form a single general inventive concept, that is, they do not have any common inventive features, which define a contribution over the prior art. The common concept linking together these groups of claims is a handle with an attachment means. However this concept is not novel in the light of the all the documents cited in the International Search Report. Therefore these claims lack unity a posteriori.

4. Consequently, this report has been established in respect of the following parts of the international application:

- ☒ all parts.
- ☐ the parts relating to claims Nos.

# INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/AU2004/000445

**Box No. V** Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

## 1. Statement

Novelty (N)	Claims 1-28	YES
	Claims	NO
Inventive step (IS)	Claims 1-28	YES
	Claims	NO
Industrial applicability (IA)	Claims 1-28	YES
	Claims	NO

## 2. Citations and explanations (Rule 70.7)

Claims 1-28 meet the criteria set forth in PCT Article 33(2) - (4) for novelty, inventive and industrial applicability. The prior art published before the priority date does not disclose either a handle for attaching to a flashlight being of the type comprising a switch for activating the light of the flashlight and which handle includes an actuator fitted to the body of the handle such that the actuator is positioned to register with the switch and is operable from the free end of the handle body

Neither does any of the prior art cited in the International Search Report disclose that the attachment means of the handle comprises a collar which has an access hole that a user can access and actuate the flashlight.

Claims

1. A handle for attaching to a flashlight to form a baton, the flashlight being of the type comprising a switch for activating the light of the flashlight, said handle comprising:
  - a handle body;
  - attachment means for attaching said handle body to a flashlight; and
  - an actuator fitted to said handle body and operable at a free end of said handle body, wherein when said handle body is attached to said flashlight such that said actuator is positioned in register with said switch, actuation of said actuator will actuate said switch.
2. A handle as claimed in claim 1, wherein said switch is a press-button switch which is actuated when said actuator presses said switch.
3. A handle as claimed in claim 1, wherein said actuator is contained within said handle body.
4. A handle as claimed in claim 1, wherein said actuator returns to a standby position after said actuator actuates said switch.
5. A handle as claimed in claim 4, wherein said actuator comprises a spring for returning said actuator to said standby position.
6. A handle as claimed in claim 2, wherein said actuator comprises an actuator rod that can be positioned directly over said press-button switch when said handle body is attached to said flashlight.
7. A handle as claimed in claim 1, wherein said attachment means comprises a clamping collar.

- 13 -

8. A handle as claimed in claim 7, wherein said collar has a switch access hole such that a user can access the flashlight switch with a finger when the switch access  
5 hole is co-incident with the switch.

9. A handle as claimed in claim 7, wherein said collar is integrally formed with said handle body and there is further provided a slit on each of two opposing sides of  
10 said handle body, each slit extending radially outward from the inner surface of said collar along said handle such that said flashlight is clamped within said collar when said slits are narrowed through compression thereby attaching said handle body to said flashlight.  
15

10. A baton comprising:  
a flashlight comprising a switch for activating the flashlight; and  
a detachable handle attached to said flashlight to  
20 form a baton; said handle comprising a handle body, attachment means for attaching said handle body to a flashlight, and an actuator fitted to said handle body and operable at a free end of said handle body; wherein when  
said handle body is attached to said flashlight such that  
25 said actuator is positioned in register with said switch, actuation of said actuator will actuate said switch.

11. A baton as claimed in claim 10, wherein said switch is a press-button switch which is actuated when said  
30 actuator presses said switch.

12. A baton as claimed in claim 11, wherein said actuator returns to a standby position after said actuator presses said press-button switch.  
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13. A baton as claimed in claim 11, wherein said actuator comprises an actuator rod that can be positioned directly

- 14 -

over said press-button switch when said handle body is attached to said flashlight.

14. A baton as claimed in claim 10, wherein said  
5 attachment means comprises a clamping collar.

15. A baton as claimed in claim 14, wherein said collar is integrally formed with said handle body and there is further provided a slit on each of two opposing sides of  
10 said handle body, each slit extending radially outward from the inner surface of said collar along said handle such that said flashlight is clamped within said collar when said slits are narrowed through compression thereby attaching said handle body to said flashlight.

15 16. A kit for forming a baton, said kit comprising:  
a flashlight comprising a switch for activating the flashlight; and  
a handle for attaching to said flashlight to form a  
20 baton; said handle comprising a handle body, attachment means for attaching said handle body to a flashlight, and an actuator fitted to said handle body and operable at a free end of said handle body; wherein when said handle body is attached to said flashlight such that said  
25 actuator is positioned in register with said switch, actuation of said actuator will actuate said switch.

17. A kit as claimed in claim 16, wherein said switch is a press-button switch which is actuated when said actuator  
30 presses said switch.

18. A kit as claimed in claim 17, wherein said actuator returns to a standby position after said actuator presses said press-button switch.

35 19. A kit as claimed in claim 17, wherein said actuator comprises an actuator rod that can be positioned directly

- 15 -

over said press-button switch when said handle body is attached to said flashlight.

20. A kit as claimed in claim 16, wherein said attachment  
5 means comprises a clamping collar.

21. A kit as claimed in claim 20, wherein said collar is integrally formed with said handle body and there is further provided a slit on each of two opposing sides of  
10 said handle body, each slit extending radially outward from the inner surface of said collar along said handle such that said flashlight is clamped within said collar when said slits are narrowed through compression thereby attaching said handle body to said flashlight.  
15

22. A method for forming a baton from a flashlight and a handle; the flashlight comprising a switch for activating the flashlight light; said handle comprising a handle  
20 body, attachment means for attaching said handle body to a flashlight, and an actuator fitted to said handle body and operable at a free end of said handle body; said method comprising:

attaching said handle body to said flashlight using said attachment means such that said actuator is  
25 positioned in register with said switch, wherein actuation of said actuator will actuate said switch.

23. A method as claimed in claim 22, wherein said switch is a press-button switch which is actuated when said  
30 actuator presses said switch.

24. A method as claimed in claim 23, wherein said actuator returns to a standby position after said actuator presses said press-button switch.  
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25. A method as claimed in claim 23, wherein said actuator comprises an actuator rod that can be positioned



- 16 -

directly over said press-button switch when said handle body is attached to said flashlight.

26. A method as claimed in claim 22, wherein said  
5 attachment means comprises a clamping collar.

27. A method as claimed in claim 26, wherein said collar  
is integrally formed with said handle body and there is  
further provided a slit on each of two opposing sides of  
10 said handle body, each slit extending radially outward  
from the inner surface of said collar along said handle  
such that said flashlight is clamped within said collar  
when said slits are narrowed through compression thereby  
attaching said handle body to said flashlight.  
15

28. A handle for attaching to a flashlight to form a  
baton, the flashlight being of the type comprising a  
switch for activating the light of the flashlight, said  
handle comprising:  
20 a handle body; and  
attachment means for attaching said handle body to  
the flashlight, said attachment means comprising a collar;  
wherein said collar has a switch access hole such  
that a user can access and actuate the flashlight switch  
25 with a finger when the switch access hole is co-incident  
with the switch.

# INTERNATIONAL SEARCH REPORT

International application No.

**PCT/AU2004/000445**

**A. CLASSIFICATION OF SUBJECT MATTER**

Int. Cl. <sup>7</sup>: F41B 15/02; F21L 4/00; A63B 15/02; B25G 3/20

According to International Patent Classification (IPC) or to both national classification and IPC

**B. FIELDS SEARCHED**

Minimum documentation searched (classification system followed by classification symbols)

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practicable, search terms used)

DWPI: Keywords: baton, truncheon, cudgel, nightstick, club, torch, battery, light, lite, flash+, switch, actuator and other similar terms

**C. DOCUMENTS CONSIDERED TO BE RELEVANT**

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	DE 29706560 U1 (THAU) 26 June 1997 Figures 3 & 9	1-27
A	EP 378750 B1 (ASHIHARA) 24 March 1993 Whole document	
A	US 4479171 A (MAINS) 23 October 1984 Whole document	
A	US 6499855 B1 (KUKUK) 31 December 2002 Whole document	

☐ Further documents are listed in the continuation of Box C ☒ See patent family annex

* Special categories of cited documents:	
"A" document defining the general state of the art which is not considered to be of particular relevance	"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
"E" earlier application or patent but published on or after the international filing date	"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)	"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art
"O" document referring to an oral disclosure, use, exhibition or other means	"&" document member of the same patent family
"P" document published prior to the international filing date but later than the priority date claimed	

Date of the actual completion of the international search  
**27 April 2004**

Date of mailing of the international search report  
**29 APR 2004**

Name and mailing address of the ISA/AU  
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# INTERNATIONAL SEARCH REPORT

International application No.  
PCT/AU2004/000445

## Box No. II Observations where certain claims were found unsearchable (Continuation of item 2 of first sheet)

This international search report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. ☐ Claims Nos.:  
because they relate to subject matter not required to be searched by this Authority, namely:
  
2. ☐ Claims Nos.:  
because they relate to parts of the international application that do not comply with the prescribed requirements to such an extent that no meaningful international search can be carried out, specifically:
  
3. ☐ Claims Nos.:  
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a)

## Box No. III Observations where unity of invention is lacking (Continuation of item 3 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows:

See supplement sheet

1. ☐ As all required additional search fees were timely paid by the applicant, this international search report covers all searchable claims.
2. ☒ As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
3. ☐ As only some of the required additional search fees were timely paid by the applicant, this international search report covers only those claims for which fees were paid, specifically claims Nos.:
  
4. ☐ No required additional search fees were timely paid by the applicant. Consequently, this international search report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

### Remark on Protest

- ☐ The additional search fees were accompanied by the applicant's protest.
- ☐ No protest accompanied the payment of additional search fees.

# INTERNATIONAL SEARCH REPORT

International application No.

PCT/AU2004/000445

## Supplemental Box

(To be used when the space in any of Boxes I to VIII is not sufficient)

### Continuation of Box No: II

The international application does not comply with the requirements of unity of invention because it does not relate to one invention or to a group of inventions so linked as to form a single general inventive concept. In coming to this conclusion the International Searching Authority has found that there are different inventions as follows:

1. Claims 1-27. It is considered that the handle including an actuator comprises a first "special technical feature".
2. Claims 28. It is considered that access hole in the collar comprises a second special technical feature.

These groups are not so linked as to form a single general inventive concept, that is, they do not have any common inventive features, which define a contribution over the prior art. The common concept linking together these groups of claims is a handle with an attachment means. However this concept is not novel in the light of the all the documents cited in the International Search Report. Therefore these claims lack unity a posteriori.

# INTERNATIONAL SEARCH REPORT

Information on patent family members

International application No.

PCT/AU2004/000445

This Annex lists the known "A" publication level patent family members relating to the patent documents cited in the above-mentioned international search report. The Australian Patent Office is in no way liable for these particulars which are merely given for the purpose of information.

Patent Document Cited in Search Report			Patent Family Member				
DE	29706560	NONE					
EP	378750	AU	39343/89	AU	39344/89	DK	410589
		DK	410689	EP	0360005	JP	2147076
		JP	2192119	US	5192075	US	5197734
US	4479171	NONE					
US	6499855	NONE					
Due to data integration issues this family listing may not include 10 digit Australian applications filed since May 2001.							
END OF ANNEX							